

**MINUTES OF THE LAFAYETTE COMMON COUNCIL
JANUARY 12, 1998
REGULAR SESSION**

The Common Council of the City of Lafayette, Indiana met in regular session on Monday, January 12, 1998, at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Fisher called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were:

Present: Alting, Boehning, Meyer, Probasco, Campbell, Downie, Rhoda, Smith, Fisher

Absent: None

President Fisher announced that it was time to elect officers for 1998. Councilman Campbell moved to nominate Councilman Alting for President, Councilman Boehning seconded. Councilman Campbell moved to close the nominations, Councilman Probasco seconded. Passed by Voice Vote. President Fisher opened up nominations for President Pro-Tem. Councilman Boehning nominated Councilman Probasco, Councilman Campbell seconded. Councilman Meyer moved to close the nominations, Councilman Downie seconded. Passed by Voice Vote.

Councilman Fisher thanked everyone for the opportunity to serve as President of the Lafayette Common Council. Councilman Fisher stated that although there were differences of opinion, in the end the City Council voted for progress for the citizens and for the advancement of Lafayette. Councilman Fisher stated that in the past year the Lafayette City Council has proven to be very effective and encouraged continued efforts.

President Alting took over the meeting and thanked Councilman Fisher for his leadership, hard work, loyalty and dedication to the Council as President. President Alting also thanked Council for the opportunity to be President.

Councilman Downie moved to approve the Minutes from the December 1, 1997 Regular Meeting of Common Council, Councilman Probasco seconded. Councilman Fisher stated that on page 2, first paragraph, third sentence the word "overt" should be "avert". President Alting stated that this would be treated as a scrivener's error. The Minutes were approved by unanimous Voice Vote.

The Clerk stated that there were no Presentations or Disposal of Claims.

The Clerk stated that there were no Presentations of Petitions or Communications.

The Clerk stated that the following reports are available in the Clerk's Office:

Clerk's Office Monthly Reports– November and December 1997

Controller's Monthly Report – November and December 1997

Motor Vehicle Report – November 1997

Miscellaneous Monthly Department Reports

The Clerk read Ordinance 97-52 (An Ordinance Amending the Economic Revitalization Ordinance 82-72) by title only for second and final reading. Councilman Boehning moved for approval,

Councilman Downie seconded. Sherry McLauchlan, Community Development, explained the proposal and the revisions. Ordinance 97-52 passed 8-0 on a roll call vote.

The Clerk read Ordinance 97-55 (An Ordinance to Vacate a Dedicated Right-of-Way in the Public Way in the City of Lafayette, Indiana in the Eastland Subdivision, Royal and Fike, Petitioners) by title only for first reading. Councilman Meyer moved for passage, Councilman Campbell seconded. Mark Davis, representing the petitioners, asked for a show of hands from audience members present in support of the proposal. Mr. Davis also requested suspension of the rules to hear the ordinance on second reading. Councilman Probasco stated that Ordinance 97-54 was tabled in order to consider a request for vacation, and he expressed his support for the proposal. Ordinance 97-55 passed 8-0 on a roll call vote.

Councilman Campbell moved to recess for a Public Hearing on Ordinance 97-55, Councilman Meyer seconded. Passed by unanimous Voice Vote. There was no public comment. Councilman Campbell moved to close the Public Hearing, Councilman Probasco seconded. Passed by unanimous Voice Vote.

Councilman Campbell moved to suspend the rules to consider Ordinance 97-55 on second and final reading, Councilman Probasco seconded. The Motion passed 8-0 on a roll call vote.

Councilman Fisher moved for passage of Ordinance 97-55 on second and final reading, Councilman Smith seconded. Ordinance 97-55 passed 8-0 on a roll call vote.

The Clerk read Ordinance 97-54 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County to rezone Certain Real Estate from GB to R-2, William M. Fleischhauer, Petitioner) by title only for first and final reading. The Clerk stated that Ordinance 97-54 was tabled on December 1, 1997 until the January 12, 1998 regular meeting. Councilman Fisher moved for passage, Councilman Rhoda seconded. Joseph Bumbleburg, representing the petitioner, explained the proposal that would allow the construction of 56 two-unit buildings. Councilman Meyer thanked Mr. Bumbleburg and the petitioner for agreeing to tabling the proposal at the December meeting. Ordinance 97-54 passed 8-0 on a roll call vote.

The Clerk read Ordinance 97-56 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County to Rezone Certain Real Estate from I and GB to GB, Simon Property Group, Petitioner) by title only for first and final reading. Councilman Rhoda moved for passage, Councilman Downie seconded. Jim Peck, American Consulting Engineers, representing the Simon Group, explained the proposal to clean up some zoning problems. Ordinance 97-56 passed 8-0 on a roll call vote.

The Clerk read Ordinance 97-57 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County to Rezone Certain Real Estate from PDE and PDR to PDR, Hillside Development LLC, Petitioner) by title only for first and final reading. Councilman Rhoda moved for passage, Councilman Boehning seconded. Ed Chosnek, representing the petitioner, explained the proposal that would allow for a 36-unit condominium development in the Saw Mill area. Ordinance 97-57 passed 8-0 on a roll call vote.

The Clerk read Ordinance 98-1 (An Ordinance to Transfer Monies Within the Sanitation Department Accounts) by title only for first reading. Councilman Probasco moved for passage, Councilman Boehning seconded. Mayor Heath explained the proposal to transfer \$125,000 for the purpose of purchasing 7 new combination garbage/recycling trucks. Mayor Heath indicated that Council would be asked to suspend the rules to hear Ordinance 98-1 for second reading in order to order the trucks immediately because each month the City of Lafayette pays Waste Management

about \$21,000 to collect recyclable material. Mayor Heath stated that there was also the possibility of a price increase if we wait to order the trucks. Bill Yazbec, Controller, stated that the city would go to the market for a lease purchase package and that interest rates are in the city's favor. Mr. Yazbec stated that each truck would cost approximately \$191,000. Councilman Meyer asked what the yearly lease cost would be. Mr. Yazbec stated that would depend on the finance package that is secured. Butch Worthington, Sanitation Superintendent, stated that Kokomo has used these vehicles since 1983 and has been very pleased with the vehicles and maintenance. Councilman Meyer asked how reducing the crew from 3 to 2 would be more efficient. Mr. Worthington stated that the vehicles are more efficient and have a unique design for a 2 man, shared operation. Mr. Worthington stated that he has been studying this concept for well over a year. Councilman Meyer asked why the city is in a hurry to purchase the trucks. Mayor Heath stated that he wants to get the trucks purchased in order to discontinue the city's monthly payment to Waste Management. Councilman Downie stated that she is concerned since these trucks have not been tested in Lafayette. Mayor Heath again stated that there has been a great deal of research on this proposal. Councilman Rhoda asked about the current participation in recycling. Mayor Heath stated that there is a 30-35% participation. Mayor Heath stated that encouraging recycling will reduce tipping fees at the landfill and weekly garbage and recycling service will be more convenient. Councilman Probasco stated that this is a good opportunity since the money is allocated for recycling and this will enable the city to pick up garbage and recyclable material each week. Councilman Probasco stated that the vehicles are safer for the crew. Mayor Heath stated that by reducing the crew on each truck, additional hiring to service the newly annexed areas would not be necessary. Mike Dahlman, Best Equipment, stated that the trucks are designed for one function and safety is foremost. Mr. Dahlman stated that the trucks have low entry, and that the trucks work on the run therefore production never stops. Discussion ensued. Ordinance 98-1 passed 8-0 on a roll call vote.

Councilman Smith moved to suspend the rules to hear Ordinance 98-1 on second and final reading, Councilman Fisher seconded. The Motion to suspend the rules passed 8-0 on a roll call vote.

Councilman Campbell moved for passage of Ordinance 98-1 on second and final reading, Councilman Probasco seconded. Ordinance 98-1 passed 8-0 on second and final reading.

The Clerk read Resolution 98-1 (1998 Common Council Calendar of Meetings) by title only for first and final reading. Councilman Smith moved for passage, Councilman Rhoda seconded. Councilman Campbell asked the City Clerk if all holidays had been checked and the Clerk assured Council that there were no conflicts. Resolution 98-1 passed by unanimous Voice Vote.

The Clerk read Ordinance 97-41 (An Ordinance Regarding the Cost of Public Fire Protection Services) by title only and stated that the Ordinance was tabled on October 6, 1997 until time uncertain. Eric Burns, City Attorney, stated that the Board of Public Works and Safety had requested that the ordinance be brought to Council. Mr. Burns stated that Mr. Yazbec, President of the Board, has requested that the ordinance be withdrawn. Mr. Burns stated that as the sponsor he requested that the Ordinance be withdrawn. Councilman Probasco moved to withdraw Ordinance 97-41, Councilman Rhoda seconded. The Motion to withdraw Ordinance 97-41 passed by unanimous Voice Vote.

Reports of Standing Committees: Councilman Probasco stated that the study that was being conducted to look at wages and classifications should be done by mid-January. Councilman Probasco moved to reappoint Mr. Jack Walkey to the Police Civil Service Commission; reappoint Dianne Mork, Dick Nagel, and Steve Schreckengast to the Historic District Review Board; and

reappoint Garry Smith and Bill Powers to the Redevelopment Commission; Councilman Rhoda seconded. The reappointments were approved by unanimous Voice Vote.

Report by Mayor: Attached is a copy of Mayor Heath's State of the City address.

Miscellaneous and New Business: Councilman Boehning inquired about the letter that was received from Staley's. Mayor Heath stated that there was some confusion about the letter, and that meetings would be scheduled as soon as possible.

Reports of Councilmen: Councilman Smith inquired about the Ordinance Violations Bureau. Mr. Burns stated that training has been conducted and the Bureau would hopefully be operational by April 1.

Public Comment: Larry Giroux, 3324 US Highway 52 South, distributed a letter to the Lafayette City Council. Mr. Giroux stated that he was speaking on behalf of *Clean Air Now – Lafayette* which was formed in December 1997. Mr. Giroux encouraged Council to set a deadline for Staley to comply with the City of Lafayette's ordinance pertaining to air pollution. Mr. Giroux encouraged everyone to attend the citizens meeting at Staley North on January 28, 1998 at 5:00 p.m.

There being no further business to come before the Council, Councilman Campbell moved to adjourn, Councilman Fisher seconded. President Alting declared the meeting adjourned. Time being 8:20 p.m.

Minutes prepared by Lisa Decker, City Clerk.